

OGC REVIEW
COMPLETED

12 November 1958

MEMORANDUM FOR THE RECORD

SUBJECT: General Governmental Matters Act of 1959,
Public Law 85-468
Title II, Section 202

1. This public law provides that non-citizens may not be employed by U. S. Government agencies and paid from appropriated funds.

2. Mr. Meeks, Budget Officer for the Department of State, placed a request with [] that, in view of this restrictive provision, he and Mr. Sollenberger, Head of the FSI Language Training Program, would like to confer with [] on 13 November at 2 p.m.

25X1A9A

25X1A9A

3. This matter was referred to Colonel Sheffield Edwards, Office of Security, for preliminary opinion, based upon the few meager details that are available at this time.

4. Colonel Edwards stated that it is our practice to employ foreign nationals where the need exists and it is his recollection that waiver for such employment is provided for in the National Security Act as amended. Even though these individuals would have no access to classified matters or activities and conduct their training in unclassified areas, there still is a need for security investigation and file check. For example, CIA cannot permit the employment of a former Communist for language training and as a matter of practice will not hire a foreigner who has served in any capacity with a foreign government.

5. Colonel Edwards feels that this is a policy matter with over-all implications as well as security implications, but should the Director's policy be one in which we would assist the Department of State by contracting with their employees, he would do whatever is necessary to afford the assistance of the Security Office. This,

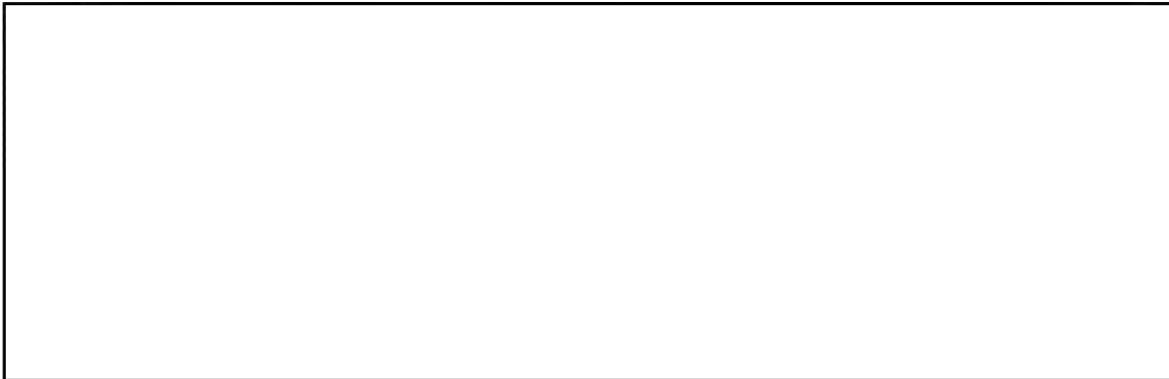
25X1

of course, would involve an examination of the Department of State security files to insure that the contract employee meets the CIA security requirements for such employees.

6. He remarked that since this public law was recently passed, John Warner of the Office of General Counsel should be consulted with regard to its contents and exceptions for CIA, if any. He requested that he be kept informed of the progress of discussions in this matter.



25X1A9A



OG 25X1
C

3. Mr. Warner was of the opinion that the armed services also have an exception to the subject law under another act. He feels that a determination to supply the State Department services which are contrary to the act would present many difficulties and that serious legal consideration should be reviewed before such a policy was implemented. Mr. Warner also stated that as the law is written, it appears that State Department could possibly find loopholes to continue their present operations. However, he added that this was his own opinion and should not be expressed to the State Department General Counsel or to State Department representatives.



25X1A9A